



## **FREMONT PLANNING BOARD**

**February 25, 2009**

**Meeting Minutes**

Approved March 4, 2009

Present: Chairman Roger Barham, Co-Chair and CC Rep. Jack Karcz, Selectman Gene Cordes, Members John (Jack) Downing and Leon Holmes, Jr., Alternate/Building Official Thom Roy, RPC Circuit Rider David West and Land Use AA/Recording Secretary Meredith Bolduc.

Mr. Barham opened the meeting at 7:05 pm.

Mr. Downing made the motion to approve the minutes of the February 18, 2009 meeting as written. Motion seconded by Mr. Karcz with unanimous favorable vote except for Mr. Holmes who abstained as he was not present at that meeting.

### **PROJECTS PENDING WITH RPC**

- Inclusionary Housing Zoning Ordinance – funded with CTAP Phase I Discretionary Funds; completion date of June 30, 2009.
- Housing Chapter of the Master Plan - funded with CTAP Phase I Discretionary Funds; original completion date of December 2008, moved to June 30, 2009.
- CTAP DOT Build-out- funded with CTAP Phase I Discretionary Funds; completion date of June 30, 2009.
- Open Space Plan - funded with CTAP Phase I Discretionary Funds; completion date of June 30, 2009.
- Transportation Chapter of the Master Plan- funded with NH DOT Matching Funds Grant and the Town's share has been paid; original completion date of June 30, 2008.
- Water Resource portion of the NRI Chapter of the Master Plan – funded with the Targeted Block Grant (TBG) and the Towns share has been paid; completion date of June 30, 2009.

Mr. Barham stated that due to illness RPC Circuit Rider David West will not be attending tonight's meeting. He was scheduled to report on the progress timeline of the Inclusionary Housing Ordinance, find out when the Build-out will be finished and when the Phase I CTAP Discretionary funds need to be accounted. These will all be on the March 4, 2009 agenda.

## MASTER PLAN

### Transportation Chapter

Mr. West will have a draft of the Transportation Chapter of the Master Plan for the March 4, 2009 meeting. This chapter was contracted with RPC with an original completion date of June 30, 2008.

## ZONING ORDINANCES

### Workforce Housing Zoning Ordinance

The State of New Hampshire passed SB342 - Workforce Housing Opportunities: RSA 674:58-61 which becomes effective July 1, 2009. This legislation requires all municipalities to provide reasonable and realistic opportunities for the development of workforce housing, including rental housing.

Existing housing stock shall be accounted for to determine if a municipality is providing its "fair share" of current and reasonably foreseeable regional need for workforce housing.

The Board reviewed a copy of a model Workforce Housing Ordinance that was submitted previously by Mr. West. The purpose is described as;

- To encourage and provide for the development of affordable workforce housing;
- To ensure the continued availability of a diverse supply of home ownership and rental opportunities for low to moderate income households;
- To meet the goals related to affordable housing provisions set forth in the town's Master Plan; and
- To comply with the requirements of SB 342, An Act establishing a mechanism for expediting relief from municipal actions which deny, impede, or delay qualified proposals for workforce housing (RSA 674:58-61).

Authority in the model ordinance states *"This innovative land use control Article is adopted under the authority of RSA 674:21, and is intended as an "Inclusionary Zoning" provision as defined in RSA 674:21(I)(k) and 674:21(IV)(a), as well as RSA 672:1, III-e, effective July 2009.*

The model ordinance also included: Applicability, Procedural Requirements (applicant), Procedural Requirements (Planning Board), Definitions, Density Bonus, General Requirements of Workforce Housing Units, Affordability, Administration (Compliance and Monitoring), Relationship to Other Ordinances and Regulations, and Conflict.

There was a conversation relative to the elements of "affordable housing" and whether Fremont already meets the quota required. Mr. Roy said that he feels that Fremont may not need a specific ordinance because we may already meet the requirements and he thought Mr. West was going to study whether Fremont needs this ordinance prior to deciding to go ahead with creating the ordinance.

Mr. Barham said that for the purpose of analyzing the Town's existing housing stock for current compliance with SB 342, he has contacted Town Administrator Heidi Carlson and requested a dataset from the tax assessors database consisting of Street # & Street name, Land Classification, Property Classification, Number of Housing units per property, Number of Bedrooms and Property Value (\$) inclusive of land. This information should serve to determine if Fremont already meets the requirements for the affordable housing criteria.

At 7:30 pm it was agreed to move to the scheduled appointment and continue this review later in the evening.

## LEWIS BUILDERS

Map 3 Lot 015

Present: Planning Consultant Mark Fugere, Bob Morse, Harold Levine and Charlie Lanza all of Lewis Builders.

Mr. Fugere distributed a “project status” handout to the Members and presented a drawn plan of the current Black Rocks Village project that was conditionally approved on June 16, 2004 and conditionally amended on February 15, 2006. Mr. Fugere acknowledged that this project is currently approved for 112 age restricted units inclusive of 18 two-unit townhomes and 19 four-unit townhomes for a total of 187 bedrooms. He said that no units have been built and given the economy they feel that they may not be able to move forward with the project as approved. Mr. Fugere suggested possible project changes of either;

- 24 duplex lots for a total of 48 units still with 187 bedrooms; or
- 90 2-unit and 4-unit condos or townhouses, each with 2 bedrooms.

Mr. Fugere showed a drawing of Bryant Woods which is a similar 2 & 4 unit townhouse project done by Lewis Builders in the 1990's. In answer to questions by the Board, Mr. Fugere said that these would not be rentals, they would be ownership with a selling price range of \$190 to \$210, the road structure and layout would be similar to what is approved now and would remain private. Mr. Fugere offered that the attributes of this kind of project could be that it adjoins the Village District, should help the Town meet the regional housing needs assessment as well as the workforce housing fair share requirements (RSA 674:59) and it would target first-time home buyers which he feels is a large portion of the housing market today. Mr. Fugere said that the Bryant Woods scenario would have less school age children compared to the duplex development option and he cited several examples.

Mr. Roy said that Fremont does not have an ordinance that would support the plan that Mr. Fugere has described. There was a conversation relative to the Open Space Ordinance and the workforce housing ordinance. There was a question of impact fee assessment for the currently approved plan and it was agreed that any subsequent plan would be subject to impact fees. Mr. Cordes stated that the project is currently approved as an age restricted cluster development and according to our existing zoning the owners can re-subdivide and come back with another plan. If they come back with another plan, there would be a reapplication, re-subdivision, and possibly requirements for new ZBA Variance and/or Special Exception action requests.

Mr. Fugere stated that he would work on the plan and come back to the Board at some later date. At 8:10 pm Mr. Fugere and the others present thanked the Board and left the meeting.

## ZONING ORDINANCES

### Inclusionary Housing Zoning Ordinance - Continued

At 8:10 the Board resumed the review of the model Inclusionary Housing Ordinance focusing mainly on Density Bonus, General Requirements of Workforce Housing Units, Affordability,

Administration (Compliance and Monitoring), Relationship to Other Ordinances and Regulations.

Mr. Cordes said that part of what gets out of this is that the ordinance provides a density model and administrative responsibility in terms of monitoring and managing. The need for the ordinance will be discussed again upon review of the tax assessor's database information and any information David West submits.

#### Wind Power Ordinance

The Board reviewed a copy of the States model wind ordinance.

This ordinance includes Purpose, Definitions, Procedure for Review, Standards, Violation and Penalties.

Mr. Roy said that he thinks we do not need a wind power ordinance because the RSA already addresses it. RSA 674:63 (Small Wind Energy Systems) was reviewed. Conversations were relative to height, fall radius, noise level and shadow flicker.

#### SEACOAST FARMS

Map 5 Lot 035

Mr. Roy said that, as noted at last week's meeting, there has been an off-site odor complaint, Mr. Kelly was informed of this and there have been no further complaints to date. It was agreed to discuss Seacoast Farms at the next meeting.

#### INCOMING CORRESPONDENCES

1. Received: A copy of a February 24, 2009 correspondence from Jeanne Nygren in the Selectmen's office to Dan Perry relative to Dan Perry/Scribner Estates (Map 2 Lot 001) relative to a notice of expiration of Letter of Credit for SD and road improvements.
2. Received: A notice of the NH OEP Annual Spring Planning & Zoning Conference scheduled for Saturday May 2, 2009. There are no packets this year, but the conference information and registrations will be available online beginning March 2, 2009. Mrs. Bolduc said that she will forward the information to the Board Members and asked that anyone who wants to attend register through the Land Use Office so she can remit one payment for all.

Mr. Karcz made the motion to adjourn at 9:50 pm.  
Motion seconded by Mr. Downing with unanimous favorable vote.

Respectfully submitted,  
Meredith Bolduc, Land Use AA/Recording Secretary